

## **TITLE 16. MEDICAL BOARD OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Medical Board of California is proposing to take the action described in the Informative Digest.

No public hearing on this matter will be held unless any interested person or his or her representative requests in writing that a public hearing be held; this written request must be submitted to the Contact Person listed below by May 16, 2005. If such a request is made, the Medical Board of California will provide notice of the time, date, and place of the hearing by mailing the notice to every person who has filed a request for hearing.

Any person interested may submit written comments relevant to the action proposed. These written comments, including those sent by mail, facsimile, or e-mail, shall be sent to the address listed under Contact Person in this Notice, and must be received by the board at its office not later than 5:00 p.m. on May 30, 2005. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2018 of the Business and Professions Code to implement, interpret or make specific Sections 2005, 2037, 2065, 2066, 2096, 2102 and 2103, Business and Professions Code, the board is considering changes to Division 13 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Amend 16 CCR Section 1321.

Existing subsection (a) contains an outdated reference. This change would delete the incorrect reference to the Coordinating Council on Medical Education of the Canadian Medical Association and replace that name with the correct reference to the Royal College of Physicians and Surgeons of Canada.

Existing law (Section 2102 (c) of the Business and Professions Code) requires international medical school graduates to satisfy certain prerequisites before they enter postgraduate training programs in California. Training program directors need proof that applicants applying to their programs have satisfied those statutory prerequisites before training commences. Existing regulation does not delineate what is required as proof of compliance with Section 2102 (c). Currently, staff issues to qualified applicants a Postgraduate Training Authorization Letter (PTAL). Applicants distribute their PTAL to training program directors to confirm their eligibility to begin training in California. This simple process facilitates qualified candidates' consideration for training positions in California and precludes ineligible candidates from engaging in the unlicensed practice of medicine. The proposed amendment to Section 1321(c) would clarify the nature of the authorization letter that is granted to international medical school graduates.

## FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**AND**

The following studies/relevant data were relied upon in making the above determination: None.

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

## EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would not affect small businesses because the regulations are applicable only to physicians and surgeons.

## CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative considered by it or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## INITIAL STATEMENT OF REASONS AND INFORMATION

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Contact Person or by accessing the website listed below.

## AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

## CONTACT PERSON

Inquiries concerning the substance of the proposed regulations may be directed to:

Name: Curt Worden  
Address: Medical Board of California  
1426 Howe Avenue, Suite 54  
Sacramento, CA 95825  
Telephone No.: (916) 274-5983  
Fax No.: (916) 263-2487  
E-Mail Address: [cworden@medbd.ca.gov](mailto:cworden@medbd.ca.gov)

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Kevin A. Schunke  
Address: Medical Board of California  
1430 Howe Avenue, Suite 92  
Sacramento, CA 95825  
Telephone No.: (916) 263-2368  
Fax No.: (916) 263-2387  
E-Mail Address: [kschunke@medbd.ca.gov](mailto:kschunke@medbd.ca.gov)

The backup contact person is:

Name: Linda Whitney  
Address: Medical Board of California  
1430 Howe Avenue, Suite 92  
Sacramento, CA 95825  
Telephone No.: (916) 263-2389  
Fax No.: (916) 263-2387  
E-Mail Address: [lwhitney@medbd.ca.gov](mailto:lwhitney@medbd.ca.gov)

Website Access: Materials regarding this proposal can be found at [www.caldocinfo.ca.gov](http://www.caldocinfo.ca.gov).